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June 28, 1999

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VIA HAND DELIVERY

Magalie Salas, Esq.
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: MM Dkt. 99-146, RM-9490
North Tunica, MS
Counterproposal

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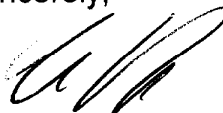
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Ms. Salas:

Transmitted herewith, on behalf of Bear Creek Radio, are an original and four copies of its Counterproposal filed in the above-referenced rulemaking proceeding to amend the FM table of allotments.

If questions arise, please contact the undersigned attorney.

Sincerely,



Ann Bavender
Counsel for
Bear Creek Radio

Enclosure

No. of Copies rec'd 074
List ABCDE

Before The
Federal Communications Commission
Washington, D.C. 20554

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JUN 28 1999
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b)) MM Dkt. No. 99-146
of the Commission's Rules,) RM-9490
FM Table of Allotments)
(North Tunica, Mississippi,)
Marianna, Arkansas))

To: Chief, Allocations Branch

COUNTERPROPOSAL

Bear Creek Radio ("BCR"), by its attorney, hereby submits its counterproposal requesting that the Commission amend Section 73.202(b) of its Rules, FM Table of Allotments, to allot FM Channel 254A to Marianna, Arkansas, in lieu of to North Tunica, Mississippi as proposed in the Notice Of Proposed Rule Making in the above-captioned proceeding. Accordingly, BCR proposes to amend Section 73.202(b) of the Commission's Rules FM Table of Allotments as follows:

	<u>Channel No.</u>	
<u>City</u>	<u>Present</u>	<u>Proposed</u>
Marianna, Arkansas	287A	287A, 254A

No change in existing allotments is necessary.

1. If the requested allotment is made to Marianna, BCR will apply for a construction permit for a new FM station on Channel 254A at Marianna, Arkansas. If BCR is granted a construction permit, it will promptly construct a new FM station to serve Marianna, Arkansas.

2. As demonstrated in the attached engineering exhibit, the allotment of Channel 254A to Marianna, Arkansas can be accomplished in compliance with all minimum mileage separation requirements.

3. The City of Marianna, Arkansas has a population of 5,910 based on the 1990 U.S. Census. It is the county seat of Lee County, Arkansas. Marianna was incorporated in 1873 and is governed by a mayor and council and served by many municipal officers. Its residents enjoy many public services including the municipal library and various city parks. The city has its own fully accredited school district with grades Kindergarten through twelve as well as an accredited private institution serving grades Kindergarten through twelve. In addition residents have access to four medical clinics with emergency transportation services.

4. The City of Marianna has a Rotary Club, Veterans of Foreign Wars outpost, as well as various booster organizations. It also offers various recreational activities, including youth sports programs and athletic fields, and many school related organizations. Marianna residents worship at more than thirteen churches located within the city.

5. Allotment of Channel 254A will provide Marianna with its second aural service and an essential outlet for local expression. Accordingly, the allotment will serve the public interest.

WHEREFORE, for the foregoing reasons, the Commission should amend Section 73.202(b) of its rules to allot FM Channel 254A to Marianna, Arkansas.

Respectfully submitted,

BEAR CREEK RADIO

By: 

Ann Bavender

Its Attorney

Fletcher, Heald & Hildreth, P.L.C.
1300 N. 17th Street, 11th Floor
Arlington, Virginia 22209
(703) 812-0400

June 28, 1999

Bear Creek Radio

Counterproposal to RM-9490

June 28, 1999


EXHIBIT E-I

Allocation Study FM Channel 254A

I, JAMES MCWAIN, declare that:

1. I am familiar with the Commission's rules, and
2. That all statements and representations of fact contained in this engineering statement are true and correct of the best of my own knowledge.

Date: June 28, 1999


James McWain

ENGINEERING STATEMENT

IN SUPPORT OF A

COUNTERPROPOSAL

MM Docket 99-146

RM-9490

This engineering statement is submitted in support of a counterproposal in the above rulemaking. The statement was prepared for Bear Creek Radio(BCR). BCR requests the following changes to Section 73.202(b), the FM Table of Allotments:

<u>Arkansas</u>	<u>Present</u>	<u>Proposed</u>
Marianna	287A	254A, 287A

The Notice of Proposed Rule Making in this proceeding, proposed the allotment of Channel 254A to North Tunica, MS. That proposal is mutually exclusive with the allotment of 254A to Marianna, AR.

Channel 254A can be assigned to Marianna in complete compliance with the Commission's distance separation requirements of 47 CFR 73.207.

From the reference coordinates: 34-42-00N and 90-40-04W, the required 70dbu contour will entirely cover the city of Marianna, AR.

Allocation Study FM Channel 254A
Marianna, AR

Study for: NEW Marianna

Search Channel: 254 Class: A
Latitude: 344200 Longitude: 904004

Call	Location	Channel	Class	Bearing	Distance (km)	Required (km)	
City of Marianna, AR				315	11.58		
Opening, Sorting & Searching: 0622tn.dat							
WAMP	Jackson	201	A	57.12	196.27	10.00	OK
WZLT	Lexington	257	A	63.42	231.76	31.00	OK
WSRRFM	Millington	251	C1	56.87	92.25	75.00	OK
WSRRFM	Millington	251	C1	55.01	91.78	75.00	OK
WAZD	Savannah	201	A	75.51	228.87	10.00	OK
Opening, Sorting & Searching: 0622ms.dat							
WBIPFM	Booneville	257	A	92.02	191.86	31.00	OK
WAJV	Brooksville	255	C3	127.50	246.98	89.00	OK
WSSI	Carthage	252	C3	154.60	242.53	42.00	OK
WSSIFM	Carthage	252	A	154.67	242.93	31.00	OK
WDFX	Cleveland	252	C3	182.38	91.07	42.00	OK
WYMX	Greenwood	256	C	167.82	127.50	95.00	OK
WYMX	Greenwood	256	C	167.81	127.54	95.00	OK
WURC	Holly Springs	201	A	85.38	112.16	10.00	OK
North	North Tunica	254	A	102.48	18.54	115.00	Short
WZLQ	Tupelo	253	C1	113.01	150.93	133.00	OK
Opening, Sorting & Searching: 0622mo.dat							
KTMO	Kennett	255	C	15.20	164.56	165.00	Short
Opening, Sorting & Searching: 0622ar.dat							
KRRD	Atkins	257	A	286.65	210.94	31.00	OK
KRRD	Atkins	257	A	286.12	207.60	31.00	OK
KFCM	Cherokee Vi	252	C3	336.50	190.51	42.00	OK
Cherry	Cherry Valley	257	A	348.20	87.55	31.00	OK
Cotton	Cotton Plant	257	A	299.39	51.92	31.00	OK
Cotton	Cotton Plant	257	A	299.11	51.43	31.00	OK
KLBQ	El Dorado	254	C3	228.46	249.48	142.00	OK
KARH	Forrest City	201	C3	344.93	35.96	12.00	OK
KARH	Forrest City	201	C3	9.47	56.58	12.00	OK
NEW	Hampton	201	A	232.16	210.39	10.00	OK
KTMO	Keiser	255	C	15.20	164.56	165.00	Short
KURB	Little Rock	253	C	273.75	167.72	165.00	Close
NEW	Pangburn	256	A	308.72	139.61	31.00	OK
NEW	Pangburn	256	A	307.90	123.70	31.00	OK
Pangbu	Pangburn	256	A	308.39	133.59	31.00	OK
KZYP	Pine Bluff	257	A	246.02	138.52	31.00	OK

CERTIFICATE OF SERVICE

I, Stacy Eveslage, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., hereby certify that a true copy of the aforementioned Counterproposal was served this 28thth day of June, 1999, via United States First Class Mail, postage prepaid, upon:

Fred R. Flinn
c/o Paul Reynolds
Reynolds Technical Associates
301 Cedar Street, Suite 4
Greenville, AL 36037


Stacy Eveslage